

DN FBT CV 15 6048103-S

DONNA L. SOTO, ADMINISTRATRIX)	SUPERIOR COURT
OF THE ESTATE OF VICTORIA L.)	
SOTO, DECEASED, ET AL.)	J.D. OF FAIRFIELD/BRIDGEPORT
)	@ BRIDGEPORT
v.)	
)	
BUSHMASTER FIREARMS)	
INTERNATIONAL, LLC, ET AL.)	FEBRUARY 8, 2016

MOTION FOR PERMISSION TO FILE REPLY
MEMORANDUM OF LAW IN EXCESS OF TEN PAGES

Defendants, Remington Arms Company, LLC and Remington Outdoor Company, Inc., (the “Remington Defendants”), pursuant to Practice Book Sections 4-6(b) and 11-10(b), respectfully move the Court for permission to file a Reply Memorandum to Plaintiffs’ Omnibus Objection to Defendants’ Motions to Dismiss totaling 22 pages. The Remington Defendants’ Reply Memorandum is due to be filed on February 16, 2016. In support of this motion, the Remington Defendants represent as follows:

1. Plaintiffs have made procedural arguments in their 44-page Omnibus Objection to Defendants’ Motions to Dismiss as to whether immunity under the Protection of Lawful Commerce in Arms Act (“PLCAA”) and plaintiffs’ standing to maintain a CUTPA action are jurisdictional and properly addressed on a motion to dismiss. Plaintiffs have also argued that all defendants have waived filing requests to revise and motions to strike because they contend defendants’ motions to dismiss should have been filed as motions to strike. Plaintiffs actually

request an order from the Court barring defendant from having the ability to file requests to revise or motions to strike if the Court denies the motions to dismiss.

2. The Remington Defendants require 12 additional pages beyond the ten (10) pages permitted by Practice Book Section 4-6(b) for reply memoranda in order to respond to these additional arguments as well as to reply to Plaintiffs' arguments opposing dismissal. The Remington Defendants' opening Memorandum of Law in support of their motion to dismiss was 24 pages, well under the 35-page limit.

3. Counsel for the Remington Defendants, James Vogts, has communicated with counsel for the Plaintiffs, Alinor Sterling, and she indicated that Plaintiffs do not object to this Motion.

WHEREFORE, for the foregoing reasons, the Remington Defendants request permission of the Court to file a Reply Memorandum to Plaintiffs' Omnibus Objection to Defendants' Motions to Dismiss not to exceed 22 pages.

THE REMINGTON DEFENDANTS,

BY: /s/ Scott M. Harrington/#307196
Scott M. Harrington
DISERIO MARTIN O'CONNOR &
CASTIGLIONI LLP #102036
One Atlantic Street
Stamford, CT 06901
(203) 358-0800
sharrington@dmoc.com

James B. Vogts, PHV
Andrew A. Lothson, PHV
SWANSON MARTIN & BELL, LLC
330 North Wabash #3300
Chicago, IL 60611
alothson@smbtrials.com
jvogts@smbtrials.com

H:\Matters\30680\30680 30680 Motion for Permission to File Reply Memorandum in Excess of 10 Pages 20160201.docx

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was mailed on February 8, 2016 to the following counsel:

Koskoff Koskoff & Bieder, PC
350 Fairfield Avenue
Bridgeport, CT 06604
jkoskoff@koskoff.com

Renzulli Law Firm LLC
81 Main Street, Suite 508
White Plains, NY 10601

Berry Law LLC
107 Old Windsor Road, 2nd Floor
Bloomfield, CT 06002
firm@berrylawllc.com

/s/ Scott M. Harrington/#307196
Scott M. Harrington